

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: _____ DATE FILED: 1/9/2025

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JUNSAI XU,	:	
	:	
Plaintiff,	:	1:25-cv-109-GHW
	:	
-v-	:	<u>ORDER</u>
	:	
TENEO, <i>et al.</i> ,	:	
	:	
Defendants.	:	
	:	
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GREGORY H. WOODS, United States District Judge:		

Plaintiff commenced this action on October 24, 2024 in the United States District Court for the Eastern District of New York. Dkt. No. 1. On January 3, 2024, Judge Chen issued an order transferring this case to the Southern District of New York pursuant to 28 U.S.C. § 1406(a), Dkt. No. 9, and the case was assigned to me on January 6, 2025, Dkt. No. 10.


It appears that in the filing at Dkt. No. 8, Plaintiff amended the addresses for Defendants Teneo and Young on the summons issued at Dkt. No. 3. It also appears from that filing that Plaintiff may have served Defendants by certified mail. *See* Dkt. No. 8. The Court directs Plaintiff to Federal Rule of Civil Procedure 4(e), which provides the required methods of serving a summons and complaint. Mailing a summons and complaint by certified mail “is not good service under federal law [or] . . . under New York law.” *Deptula v. Rosen*, 558 F. Supp. 3d 73, 86 (S.D.N.Y. 2021) (citing Fed. R. Civ. P. 4(e)(2) and CPLR §§ 308-311(a)).

The Court directs the Clerk of Court to issue amended summonses with the following address for Defendants Teneo and Young: 460 Morris Park Ave., Bronx, New York, 10460. The Court additionally directs Plaintiff, if they have not done so already, to properly serve the defendants in this case, in a manner that complies with Federal Rule 4(e). Although Rule 4(m) of the Federal Rules of Civil Procedure generally requires that a summons be served within 90 days of the date the

complaint is filed, the Court, considering Plaintiff's status as a *pro se* litigant, extends the time to serve until 90 days after the date the amended summonses issue. The Clerk of Court is directed to mail a copy of this order to Plaintiff by certified mail.

SO ORDERED.

Dated: January 9, 2025
New York, New York



GREGORY H. WOODS
United States District Judge